United States Department of Labor Employees' Compensation Appeals Board

L.S., Appellant	_))
· •) Declar4 No. 22,0202
and) Docket No. 22-0303) Issued: January 28, 2022
U.S. POSTAL SERVICE, POST OFFICE, Wheaton, MD, Employer)
Appearances: Appellant, pro se	, Case Submitted on the Record
Office of Solicitor, for the Director	

ORDER DISMISSING APPEAL

Before:
ALEC J. KOROMILAS, Chief Judge
JANICE B. ASKIN, Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

On December 20, 2021 appellant filed an appeal from a September 18, 2020 nonmerit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 22-0303.

The Board has duly considered the matter and notes that the Board has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act. For final adverse decisions of OWCP issued on or after November 19, 2008, the Board's review authority is limited to appeals which are filed within 180 days from the date of issuance of OWCP's decision.²

The 180th day following the September 18, 2020 decision was March 17, 2021. As appellant did not file an appeal with the Board until December 20, 2021, more than 180 days after the September 18, 2020 OWCP decision, the Board finds that the appeal docketed as No. 22-0303 is untimely filed. The Board is without jurisdiction to review the appeal. Appellant has not offered

¹ 5 U.S.C. § 8149; 20 C.F.R. § 501.2(c) and 501.3(a) (2009).

² *Id.* at § 501.3(e).

a reason to explain the failure to timely file an appeal with supporting documentation sufficient to establish compelling circumstances.

The Board's decisions and orders are "final upon the expiration of 30 days from the date of their issuance."

IT IS HEREBY ORDERED THAT the appeal docketed as No. 22-0303 is dismissed.

Issued: January 28, 2022 Washington, DC

> Alec J. Koromilas, Chief Judge Employees' Compensation Appeals Board

> Janice B. Askin, Judge Employees' Compensation Appeals Board

> Valerie D. Evans-Harrell, Alternate Judge Employees' Compensation Appeals Board

³ *Id.* at § 501.6(d).